

Notice of Allowability

Application No.

09/510,966

Examiner

BINH K. TIEU

Applicant(s)

GAIKWARD ET AL.

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/22/05.
2. ☒ The allowed claim(s) is/are 2,6-8,10-12,15-17 and 19-21.
3. ☒ The drawings filed on 21 February 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 2, 6-8, 10-12, 15-17 and 19-21 are allowed.

2. The following is an examiner's statement of reasons for allowance:

The reasons of allowance of above claims are as followings:

A/. "...wherein at frequencies above M.sub.E2F, the power spectral density of the uplink signals are limited to one or more uplink frequency bands and the downlink signals are limited to one or more downlink frequency bands that are disjoint from the uplink frequency bands, and wherein the total bandwidth of the uplink frequency bands is proportional to the total bandwidth of the downlink frequency bands by the same positive scale factor.", as substantially described and connected to independent claim 2.

B/. "...wherein at frequencies above M.sub.E2F, the transmitted downlink PSD is nonzero in one or more frequency bands that are disjoint from one or more frequency bands in which the transmitted uplink PSD is nonzero, and wherein the total bandwidth of the uplink frequency bands above the selected frequency is proportional to the total bandwidth of the downlink frequency bands above the selected frequency by the same positive scale factor.", as substantially described and connected to independent claims 6 and 15.

C/. "...selecting a crossover frequency bin in response to the self-NEXT transfer function and the self-FEXT transfer function wherein SPSD signaling leads to a greater channel capacity than FDS signaling for bins lower in frequency than the crossover frequency bin and

Art Unit: 2643

wherein FDS signaling leads to a greater channel capacity than SPSP signaling for bins greater in frequency than the crossover frequency bin...”, as substantially described and connected to independent claims 10 and 19.

D/. “...at frequencies below a select frequency constraining the transmitted downlink PSD to be proportional to the transmitted uplink PSD by a positive scale factor, and at frequencies above the selected frequency, constraining the transmitted downlink PSD to be in frequency bands disjoint from the transmitted uplink PSD...”, as substantially described and connected to independent claims 11 and 20.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

Art Unit: 2643

(571) 273-8300
Hand Carry Deliveries to:
Customer Service Window
(Randolph Building)
401 Dulany Street
Alexandria, VA 22314

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BINH TIEU
PRIMARY EXAMINER

Art Unit 2643

Date: August 05, 2005